

Exhibit RA 1

Don Rosendale
The Oaks Farm
4848 Route 44
Amenia, N.Y. 12501
845.373.9017 DonPr1@aol.com

*Copy from my
word processor memory*

September 26, 2020

Dear Ms. Olson:

My e-mail and fax number are indicated at the top of this letter. As agreed upon by Mr. Kuhl yesterday, Rushmore is to release \$51,000 of excess insurance proceeds to deal with any deficiencies.

Please let me know if there is anything else I need to do to follow up.

Sincerely,

Don Rosendale

Exhibit RA 2

Reply Reply All Forward Delete More ▾

RE: Jon Kuhl

Don donpr1@aol.com Hide ▾

Thu, Apr 2, 2020 10:28 am

To **Loss Mitigation** lossmitigation@kkmllp.com
Cc **jonkuhl1957@yahoo.com** jonkuhl1957@yahoo.com,
Lisa Herbert lisa.herbert@nelsonmullins.com

Slideshow

kuhl.2draft settlement.docx (17 KB)

kuhl.c2d.onstrucition.docx (16 KB)

kuhl.lien.jpg (688 KB)

image001.png (361 B)

Dear Mr. Santoro:

At the court-ordered settlement conference, the referee indicated that the court would sanction a settlement of the current foreclosure action by Mr. Kuhl agreeing to reduce the scale of his garage/shop reconstruction and using the excess insurance settlement funds now held by the servicer to bring mortgage payments up to date. She explained that was kosher under FHA regs, the mortgage and New York law. That's when I was appointed "consultant" to try to pull things together.

Subsequent to that, I received an e-mail from Ms. Fitzgerald that your client was agreeable to that so long as in the process Mr. Kuhl dropped his Federal lawsuit. He has held off finalizing that until now so hat (a) He could get the re-construction 80% done so as to coincide with the final agreement-payment and (b) qualify for a loan modification.



I've forwarded your inquiry to my client and will advise upon receipt of a response.

On May 14, 2020 Sanrora wrote

- Written request to apply remainder of insurance funds (\$54,439.33) to the arrears

If you have any questions, please do not hesitate to contact this office.

On May9 sartorito me

The only items that I don't see addressed in the attachments is Mr. Kuhl's written request to apply remainder of insurance funds (\$54,439.33) to the arrears. Please forward same when you can.

The original total of the insurance proceeds was \$151,877.02. Rushmore has already released \$77,437.69, which leaves \$74,439.33 in insurance funds being held in restricted escrow. Once the remaining \$20k needed to complete the repairs is released that will leave \$54,439.33 to be applied to the arrears.

On June3, 2020

Rushmore has had to incur legal expenses in connection with the federal action. Regardless of whether the action is dropped, those fees remain. You can direct any concerns regarding those fees to counsel representing Rushmore in that action.

Seot 2 to Kuhl, cc to me

this is the estimate they are relying on. This is also the estimate they have provide to the inspector, so he should be on the same page, but at the end of the day it is Rushmore who will be reviewing the inspection report and confirming the necessary repairs have been completed. There is clearly some miscommunication here, so I would appreciate if one of you could call me at 201-391-0370, ext. 402 to clear this up and move this forward. I am available now if you can call. Otherwise, I will be leaving shortly, but will be back in the office tomorrow morning at 8:00am. Please call at your earliest convenience so that we can get this resolved. Thank you.

If you have any questions, please do not hesitate to contact this office.

Sept 23,2020

Rushmore has confirmed that the inspection has been received back and shows that the repairs are 100% complete. As such, Rushmore is prepared to release the remaining \$54,439.33 in restricted escrow to be applied to the arrears on the account, as requested in Mr. Kuhl's attached letter. Please confirm that this is still the intent for these funds and that Rushmore may proceed with applying them to the loan. Thank you.

Sept. 23, 2020Sartoro to DonRwith copy to Kuhl

Loss Mitigation lossmitigation@kkmlp.comHide

To **donpr1@aol.com** donpr1@aol.com, **jonkuhl1957@yahoo.com** jonkuhl1957@yahoo.com

Rushmore also just advised that they could offer the funds to the investor as a down payment towards a potential modification. While a loan modification as previously denied, the availability of this sum as a down payment may help obtain an approval, though there is no guarantee. Please advise how you would like to proceed at your earliest convenience. Thank you.

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RE: Rushmore vs. Ann Kuhl, Jonathan Kuhl; Index No.: 2019-53461

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Wed, Sep 23, 2020 10:15 am

To donpr1@aol.com donpr1@aol.com,
jonkuhl1957@yahoo.com jonkuhl1957@yahoo.com

Rushmore also just advised that they could offer the funds to the investor as a down payment towards a potential modification. While a loan modification as previously denied, the availability of this sum as a down payment may help obtain an approval, though there is no guarantee. Please advise how you would like to proceed at your earliest convenience. Thank you.

If you have any questions, please do not hesitate to contact this office.

Regards,

Daniel Santoro


Knuckles, Komosinski & Manfro, LLP

Loss Mitigation
600 East Crescent Avenue, Suite 201 | Upper Saddle River, NJ 07458

Phone (201) 391-0370 Ext. 402 | eFacsimile (201) 781-6744

To escalate a concern or a complaint, please email: info@kkmllp.com

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RA-3

From: Loss Mitigation
Sent: Thursday, October 1, 2020 8:55 AM
To: Don; jonkuhl1957@yahoo.com
Subject: RE: Follow thru

Good Morning,


Please be advised that the investor would like to make a trial modification offer, and is willing to bypass the application process, but is requiring an appraisal of the property be completed to determine its value for reference in preparing the offer. An agent will be reaching out to Mr. Kuhl shortly to schedule the appraisal. Please coordinate with the agent to have the appraisal completed as soon as possible. Thank you.

★

If you have any questions, please do not hesitate to contact this office.

Regards,

Daniel Santoro

 **Knuckles, Komosinski & Manfro, LLP**
Loss Mitigation
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Phone (201) 391-0370 Ext. 402 | eFacsimile (201) 781-6744

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